

REMARKS

Status of the Claims

- Claims 1-9, 15, and 18 are pending in the Application after entry of this amendment.
- Claims 1-9, 15, and 18 are rejected by Examiner.
- Claims 1-9, 15, and 18 are amended by Applicant.

Claim Amendments

Claims 1-9, 15, and 18 are amended to correct claim informalities such as antecedent basis and preamble articles.

Claim Rejections Pursuant to 35 U.S.C. §103

Claims 1-3, 5-6, 9, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,259,918 to Labonte et al. (Labonte) in view of U.S. Patent No. 6,941,152 to Proctor, Jr. et al. (Proctor). Applicant respectfully traverses the rejection.

Labonte discusses preservation of cell borders at hand-off within a smart antenna cellular telephone system. Labonte presents a cellular communications network that includes a plurality of cells whose base stations have both sector and smart antenna capabilities. (See Labonte, Abstract)

Labonte discusses cellular telephone systems having cell areas of operation where base stations operate to accommodate the hand-off of a mobile station 24 from a first cell area 12(1) operated by a first base station 16(1) to a second cell area 12(2) operated by a second base station 16(2) (See Labonte, Figure 3.)

Applicant notes that the disclosure of Labonte does not include a discussion of either multi-receiver frames or mono-receiver frames as recited in the pending claims. As described in the as-filed application with regard to

Figure 1 and its description, examples of multireceiver frames include RTS and CTS type messages. Examples of monoreceiver frames include DATA and ACK type messages. RTS, CTS, DATA, and ACK types of frames are messages that comply with the IEEE 802.11 standard or the Hiperlan standard for wireless communications. These standards are not used for cellular communications in a cellular network such as the type discussed by Labonte.

Further, Labonte fails to discuss any correlation between frame types being transmitted or received and the use or switching between an omnidirectional antenna and a directional antenna as indicated in pending independent Claim 1 and 9. Whereas pending independent Claims 1 and 9 recite that multi-receiver frames are exchanged between a station and a plurality of other stations using an omnidirectional antenna and mono-receiver frames are exchanged using a directional antenna, Labonte is silent on the correlation between frame type and antenna useage between the base stations 16(1-2) or even the mobile stations 24 referenced in Labonte Figure 3.

Proctor discusses a subscriber network registration system for configurable services in a wireless telephone communications network. Proctor explains that subscriber access units employing an omnidirectional antenna or units which are highly mobile tend to experience more interference than stationary users or subscriber access units employing a directional antenna. Also, the allocation of wireless transmission resources to retransmit wireless messages over a lossy link can have a detrimental effect on wireless resources available for other users. To help address this problem, Proctor introduces a system which allows a subscriber access unit to register device capabilities with a base station processor to determine the degree to which a particular subscriber access unit may be prone to interference and provides computation and adjustment of transmission constraints for each subscriber access unit accordingly to maximize throughput.

However, like Labonte, Proctor fails to discuss any correlation between frame types being transmitted or received and the use or switching between an omnidirectional antenna and a directional antenna. Whereas pending independent Claims 1 and 9 recite that multi-receiver frames are exchanged between a station and a plurality of other stations using an omnidirectional antenna and mono-receiver frames are exchanged using a directional antenna, Proctor is simply silent on the correlation between frame type and antenna usage between base stations 16 and Subscriber Access Units 14a-b (See Proctor, Figure 2).

Applicant respectfully submits that Labonte and Proctor, either considered alone or in combination, fails to teach or suggest the features of pending independent Claims 1 and 9. Specifically, both Labonte and Proctor fail to teach or suggest that multi-receiver frames are exchanged between a station and a plurality of other stations using an omnidirectional antenna and mono-receiver frames are exchanged using a directional antenna as recited in pending independent Claims 1 and 9.

Applicant respectfully submits that pending independent Claims 1 and 9 are thus not rendered obvious under 35 USC §103(a) per MPEP §2143.03 because all elements of the pending claims are not found in the cited art. Also, Claims 2-3, 5-6 and 18 are also not rendered obvious per MPEP §2143.03 because they depend on non-obvious independent Claims 1 and 9. Applicant respectfully requests reconsideration of the 35 U.S.C. §103(a) rejection of pending Claims 1-3, 5-6, 9 and 18 based on the remarks above.

Claim Rejections Pursuant to 35 U.S.C. §103

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,259,918 to Labonte et al. (Labonte) in view of U.S. Patent No. 6,941,152 to Proctor, Jr. et al. (Proctor) and in further view of U.S. Patent No. 6,132,306 to Trompower. Applicant respectfully traverses the rejection.

The teachings of Labonte and Proctor are discussed above.

Trompower discusses a cellular telephone communications system with dedicated repeater channels that are located in the base stations. The discussion of Trompower discusses how the contention areas formed by overlapping cells is effectively eliminated. (See Trompower, Abstract).

However, Trompower, like Labonte and Proctor, fails to discuss that multi-receiver frames are exchanged between a station and a plurality of other stations using an omnidirectional antenna and mono-receiver frames are exchanged using a directional antenna as is recited in pending independent Claim 1 upon which Claim 4 depends.

Since independent Claim 1 is not rendered obvious by the combination of Labonte, Proctor and Trompower because all elements of independent Claim 1 are not taught or suggested by the combination, then dependent Claim 4 is likewise rendered non obvious under 35 U.S.C §103(a) per MPEP §2143.03. Applicant respectfully requests reconsideration of the 35 U.S.C. §103(a) rejection of pending Claim 4.

Claim Rejections Pursuant to 35 U.S.C. §103

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,259,918 to Labonte et al. (Labonte) in view of U.S. Patent No. 6,941,152 to Proctor, Jr. et al. (Proctor) and in further view of Admitted Prior Art. Applicant respectfully traverses the rejection.

The teachings of Labonte and Proctor are discussed above.

Applicant's Admitted prior art of IEEE 802.11 and Hiperlan type 2, like Labonte and Proctor, fails to discuss that multi-receiver frames are exchanged between a station and a plurality of other stations using an omnidirectional antenna and mono-receiver frames are exchanged using a directional antenna as recited in pending independent Claim 1 upon which Claims 7 and 8 depend.

Since independent Claim 1 is not rendered obvious by the combination of Labonte, Proctor and Admitted prior art because all elements of independent Claim 1 are not taught or suggested by the combination, then dependent Claims 7 and 8 are likewise rendered non obvious under 35 U.S.C §103(a) per MPEP §2143.03. Applicant respectfully requests reconsideration of the 35 U.S.C. §103(a) rejection of pending Claims 7 and 8.

Claim Rejections Pursuant to 35 U.S.C. §103

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,259,918 to Labonte et al. (Labonte) in view of U.S. Patent No. 6,941,152 to Proctor, Jr. et al. (Proctor) and in further view of U.S. Patent No. 7,092,672 to Pekonen et al. (Pekonen). Applicant respectfully traverses the rejection.

The teachings of Labonte and Proctor are discussed above.

Pekonen discusses the reporting of cell measurement results in a cellular communication system. The cell measurements are performed by the transceiver station for getting cell measurement results associated with a number of the cells. Relevant cell measurement results are then selected and the selected results are transmitted in the defined reporting order. (See Pekonen, Abstract).

However, Pekonen, like Labonte and Proctor, fails to discuss that multi-receiver frames are exchanged between a station and a plurality of other stations using an omnidirectional antenna and mono-receiver frames are exchanged using a directional antenna as recited in pending independent Claim 9 upon which Claim 15 depends.

Since independent Claim 9 is not rendered obvious by the combination of Labonte, Proctor and Pekonen because all elements of independent Claim 9 are not taught or suggested by the combination, then dependent Claim 15 is

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likewise rendered non obvious under 35 U.S.C §103(a) per MPEP §2143.03.
Applicant respectfully requests reconsideration of the 35 U.S.C. §103(a)
rejection of pending Claim 15.

Conclusion

Applicant respectfully submits that the amended pending claims
patentably define over the cited art and respectfully requests reconsideration
and withdrawal of the rejections of all pending claims based on the arguments
presented herein.

If there are any additional charges in connection with this requested
amendment, the Examiner is authorized to charge Deposit Account No. 07-
0832 therefore.

Respectfully submitted,
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